

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE: PHILIPS RECALLED CPAP, BI-
LEVEL PAP, AND MECHANICAL
VENTILATOR PRODUCTS LIABILITY
LITIGATION**

Master Docket: Misc. No. 21-01230

This Document Relates To:
All Actions

MDL No. 3014

JOINT NOTICE OF UPDATED TIMELINE OF PERTINENT MDL DATES

The parties jointly submit this updated timeline of upcoming deadlines in *In Re: Philips Recalled CPAP, Bi-Level PAP, and Mechanical Ventilator Products Litigations* (MDL No. 3014).¹

Date	Event	ECF No.
10/17/2023	Evidentiary hearing on Koninklijke Philips N.V.'s Motions to Dismiss for Lack of Personal Jurisdiction ²	2166 (Text Order)
10/26/2023	Deadline for Parties' Objections to Special Master Reports and Recommendations on Motions to Dismiss issued on September 28, 2023.	2288
10/31/2023	Deadline for Defendants' Responses to any motions to remand to state court (or Consolidated Response, if determined to be more efficient and effective)	1901
11/23/2023	Deadline for Parties' Replies to Objections to Special Master Reports and Recommendations on Motions to Dismiss issued on September 28, 2023	2288
11/30/2023	Deadline for Plaintiffs' Replies in support of any motions to remand to state court	1901
12/11/2023	Economic Losses Class Action Settlement: Claims Period & Notice Begins	2289

¹ The Parties intend this notice to be a reference resource for the Court. The Parties do not intend this notice and the summaries of the deadlines to supersede the terms in the Court's orders.

² A deadline for Plaintiffs' and Defendant Koninklijke Philips N.V.'s proposed Findings of Fact/Conclusions of Law regarding Koninklijke Philips N.V.'s Motions to Dismiss for Lack of Personal Jurisdiction has not yet been established by the Court.

Date	Event	ECF No.
1/8/2024	Economic Losses Class Action Settlement: Class Counsel's Motion for Attorneys' Fees and Expenses and Motion for Service Awards	2289
2/7/2024	Economic Losses Class Action Settlement: Deadline for Settlement Class Members to Opt Out of or Object to Settlement	2289
2/28/2024	Conclusion of all fact discovery related to class certification, including Party and non-party fact depositions, for Medical Monitoring class action	1911
3/15/2024	Plaintiffs' Rule 26(a)(2) expert disclosures relevant to class certification, for Medical Monitoring class action	1911
3/21/2024	Economic Losses Class Action Settlement: Motion for Final Approval	2289
3/28/2024	Economic Losses Class Action Settlement: Response to Objections to Settlement	2289
4/11/2024	Economic Losses Class Action Settlement: Final Fairness Hearing	2289
5/1/2024	Defendants' Rule 26(a)(2) expert disclosures relevant to class certification for Medical Monitoring class action	1911
6/10/2024	Plaintiffs' Rule 26(a)(2) rebuttal disclosures relevant to class certification for Medical Monitoring class action	1911
7/15/2024	Deadline to complete expert depositions relevant to class certification for Medical Monitoring class action	1911
8/9/2024	Economic Losses Class Action Settlement: Claims Period Deadline	2289
8/15/2024	Plaintiffs file motion for class certification for Medical Monitoring Class Action	1911
10/1/2024	Defendants file class certification opposition for Medical Monitoring class action	1911
11/1/2024	Plaintiffs file reply in support of class certification for Medical Monitoring class action	1911
12/6/2024	Parties file Rule 702/Daubert motions on class certification issues for Medical Monitoring class action	1911

Date	Event	ECF No.
1/6/2025	Parties file Rule 702/ <i>Daubert</i> oppositions on class certification issues for Medical Monitoring class action	1911
2/2025 or 3/2025	Potential hearing date for Rule 702/ <i>Daubert</i> motions on class certification experts for Medical Monitoring class action, subject to Court's scheduling	1911

Pursuant to Pretrial Order #28 (ECF No. 783), the following procedures and deadlines apply to the Amended Master Personal Injury Complaint and Individual Short Form Personal Injury Complaints.

Date	Event
Within sixty (60) days of the date on which the Court issues a ruling as to its motion to dismiss the Amended Master Personal Injury Complaint ³	Deadline for Defendant to file a Master Answer to the Amended Master Personal Injury Complaint.
Within forty-five (45) days of the date on which the Court issues a ruling granting Plaintiffs' Co-Lead Counsel leave to amend the Amended Master Personal Injury Complaint	Deadline for Plaintiffs' Co-Lead Counsel to file a Second Amended Master Personal Injury Complaint
Within fourteen (14) days of filing a Short Form Complaint	Deadline for Personal Injury Plaintiffs to upload their Short Form Complaint to the online MDL Centrality System accessible at www.mdlcentrality.com/ pursuant to Pretrial Order # 27
Within twenty-one (21) days after service of the Master Answers to the Amended Master Personal Injury Complaint by Defendants	Deadline for any Personal Injury Plaintiff, who has filed a Short Form Complaint, to amend the same for any reason
Within twenty-one (21) days after service of Short Form Complaint	Deadline for any Personal Injury Plaintiff, who files a Short Form Complaint after the filing of the Master Answers to the Amended Master Personal Injury Complaint, to amend the same for any reason
Within twenty-one (21) days after selection for inclusion in the pool from which bellwether cases are to be selected	Deadline for any Personal Injury Plaintiff, whose case is subsequently chosen for inclusion in the pool from which bellwether cases are to be selected, to amend his or her Short Form Complaint

³ If a motion to dismiss the Amended Master Personal Injury Complaint does not result in the dismissal of the Amended Master Personal Injury Complaint in its entirety, and provided that the Court does not grant leave to amend the Amended Master Personal Injury Complaint.

Date: October 13, 2023

/s/ John P. Lavelle, Jr.

John P. Lavelle, Jr.

Lisa C. Dykstra

MORGAN, LEWIS & BOCKIUS LLP

1701 Market Street

Philadelphia, PA 19103-2921

T 215.963.5000

john.lavelle@morganlewis.com

lisa.dykstra@morganlewis.com

/s/ Wendy West Feinstein

Wendy West Feinstein

MORGAN, LEWIS & BOCKIUS LLP

One Oxford Center, 32nd Floor

Pittsburgh, PA 15219-6401

T 412.560.3300

wendy.feinstein@morganlewis.com

Counsel for Defendant Philips RS North America, LLC

/s/ Michael H. Steinberg

Michael H. Steinberg

SULLIVAN & CROMWELL LLP

1888 Century Park East

Los Angeles, CA 90067

T (310) 712-6670

steinbergm@sullcrom.com

/s/ Tracy Richelle High

Tracy Richelle High

William B. Monahan

SULLIVAN & CROMWELL LLP

125 Broad Street

New York, NY 10004

T (212) 558-7375

hight@sullcrom.com

monahanw@sullcrom.com

Counsel for Defendants Koninklijke Philips NV, Philips North America LLC, Philips Holding USA Inc., and Philips RS North America Holding Corporation

Respectfully submitted,

/s/ Kelly K. Iverson

Kelly K. Iverson

LYNCH CARPENTER, LLP

1133 Penn Avenue, 5th Floor

Pittsburgh, PA 15222

(412) 322-9243 (phone)

kelly@lcllp.com

/s/ Christopher A. Seeger

Christopher A. Seeger, Esquire

SEEGER WEISS LLP

55 Challenger Road, 6th Floor

Ridgefield Park, NJ 07660

(973) 639-9100 (phone)

cseeger@seegerweiss.com

/s/ Sandra L. Duggan

Sandra L. Duggan, Esquire

LEVIN SEDRAN & BERMAN LLP

510 Walnut Street, Suite 500

Philadelphia, PA 19106

(215) 592-1500 (phone)

(215) 592-4633 (fax)

sduggan@lfsblaw.com

/s/ Steve A. Schwartz

Steve A. Schwartz

CHIMICLES SCHWARTZ KRINER &

DONALDSON-SMITH LLP

361 West Lancaster Avenue

One Haverford Centre

Haverford, PA 19041

(610) 642-8500 (phone)

steveschwartz@chimicles.com

Plaintiffs' Co-Lead Counsel

/s/ D. Aaron Rihn

D. Aaron Rihn, Esquire

ROBERT PEIRCE & ASSOCIATES, P.C.

707 Grant Street

Suite 125

/s/ Eric Scott Thompson

Eric Scott Thompson

FRANKLIN & PROKOPIK

500 Creek View Road, Ste. 502

Newark, DE 19711

302-594-9780

ethompson@fandpnet.com

Pittsburgh, PA 15219

412-281-7229

412-281-4229 (fax)

arihn@peircelaw.com

Plaintiffs' Co-Liaison Counsel

Attorney for Defendant Polymer

Technologies, Inc. Elastomeric Solutions

Division

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed via the Court's CM/ECF system on this 13th day of October 2023 and is available for download by all counsel of record.

/s/ D. Aaron Rihn

D. Aaron Rihn, Esquire

PA I.D. No. 85752

ROBERT PEIRCE & ASSOCIATES, P.C.

707 Grant Street

Suite 125

Pittsburgh, PA 15219

Tel: 412-281-7229

Fax: 412-281-4229

arihna@peircelaw.com